

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
Parish: Egton

Application No. NYM/2017/0469/FL

**Proposal:** extension to existing farm building together with alterations to existing access

**Location:** Land on Egton Lane, Glaisdale

**Decision Date:** 29 August 2017

## Consultations

**Parish** - No objection.

**Amended Plans** - No objection

**Highways** - Recommend refusal based on intensification of the use of the site and the lack of satisfactory visibility splays.

**Amended Plans** - Recommend conditional approval.

**Environmental Health Officer** -

**Site Notice Expiry Date** - 10 August 2017.

## Director of Planning's Recommendation

**APPROVAL subject to a Section 106 Agreement** relating to the removal of the shed if the size of holding reduces and to the following conditions:

1. **Standard Three Year Commencement Date**

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. **Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified**

The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>
Site & Block Location Plans	D11163-01 Rev A	30 June 2017
Proposed Plans and Elevations	D11193-03 Rev B	30 June 2017
Access Layout Proposed	D11163-05 Rev A	20 December 2017

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. The materials, including colour and finish of the building hereby approved shall match that of the existing building on site and thereafter be so maintained.

---

**Application Number: NYM/2017/0469/FL**

---

**4. Private Access/Verge Crossings: Construction Requirements**

Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

- a. The crossing of the highway verge shall be constructed in accordance with the standard detail number E9A.
- b. Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
- c. The final surfacing of any private access within one metre of the public highway shall not contain any loose material that is capable of being drawn onto the existing public highway. All works shall accord with the approved details unless otherwise agreed in writing with the Local Planning Authority.

**5. Visibility Splays (inserts)**

There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 70 metres measured along both channel lines of the major road Egton Lane from a point measured 2 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 1.05 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

**6. LNDS01 Landscaping Scheme Required (insert)**

Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for **amended bund and screen planting to the immediate south and east of the buildings and extension hereby approved** and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**7. LNDS02A Landscaping Scheme to be Implemented – Large Scale Development/General Development**

All hard and soft landscape works comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

**8. LNDS03 Trees/Hedging to be Retained (insert)**

No trees, shrubs or hedges **along all boundaries** of the site (**as outlined in blue on the submitted location plan**) shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

---

**Application Number: NYM/2017/0469/FL**

---

**Informatives****1. MISC INF10 Section 106 Agreement (inserts)**

This consent is issued subject to the terms of the Agreement (under Section 106 of the 1990 Town and Country Planning Act) dated 15 April 2019 between the North York Moors National Park Authority and Stephen Agar and Clydesdale Bank Plc to ensure that the development hereby approved shall be removed from the land should the agricultural holding cease to operate.

**2. Private Access/Verge Crossings: Construction Requirements**

In relation to condition 4 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

3. An explanation of the terms used above is available from the Highway Authority.

**Reasons for Conditions**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
5. In accordance with NYM Development Policy 23 and in the interests of road safety.
- 6 & 7. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
8. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

---

Application Number: NYM/2017/0469/FL

---



---

**Application Number: NYM/2017/0469/FL**

---



---

**Application Number: NYM/2017/0469/FL**

---

**Background**

The site lies to the west of Egton Village and fronts the narrow road known as Egton Lane. There is an existing agricultural building located in the north west corner of the field and is used for general agricultural purposes, including for the housing of livestock (sheep). Since the year 2000, the applicant has steadily increased the quantity of land he both owns and rents as part of his agricultural business and in doing so has increased his flock numbers.

Planning permission was granted in March 2002 for a building to house 90 ewes in the north-west corner of field (OS 2454). Planning permission for the siting of a polytunnel (for livestock) along the northern field boundary was refused in 2007 due to adverse landscape impact.

In 2008 planning permission was granted, subject to a Section 106 legal Agreement for the construction of a rear extension and lean-to side extension to the existing building on site, constructed of materials to match the existing. At that time, the applicant provided justification, explaining that his agricultural enterprise had expanded from a flock of breeding ewes back in 1999 to 170 breeding ewes/tups and 40 hogs. (There was also a stated intention to fatten 6 to 8 store cattle that winter but it is not known whether that venture was implemented). However, although the Authority accepted there was an agricultural need and requirement for space to expand, it was noted that some of the land used in the justification of that application had previously been used to justify agricultural buildings elsewhere in the village. Consequently, in order to ensure that the land within the ownership of the applicant stays at the current level or exceeds the level to justify the extensions, the approval was made subject to a section 106 agreement requiring the extension to be removed if land ownership falls below 36.5 hectares.

Since that development the business has continued to expand and the applicant has increased land ownership, tenanted land and stock numbers. As a result, the applicant is seeking a further grant of planning permission for another side extension to the building together with associated changes to the landscaping bund in order to accommodate the proposed footprint.

The current application seeks full planning permission for the construction of a further extension to the east facing elevation measuring approximately 11 metres by 22 metres (matching the floor area of the original 2002 building), but with an eaves height of 5.2 metres and overall ridge height of 7.1 metres. The proposed building is therefore to be approximately 1.8 metres higher than the existing buildings on site. The proposed building is shown to be set back from the front (north) elevation of the existing building by approximately 4.3 metres and therefore the scheme also includes further rear extensions to the existing range to 'square' the development. The rear extension would match the height proportions of the existing buildings and extend approximately 4.3 metres to the rear.

**Policy Context**

The relevant policy contained within the NYM Core Strategy and Development Policy Document to this application is Development Policy 12 (Agriculture).

---

**Application Number: NYM/2017/0469/FL**

---

Development Policy 12 seeks to permit proposals for new agricultural buildings, tracks and structures or extensions to existing buildings where there is a functional need for the building, the building is designed for the purposes of agriculture, the site is related physically and functionally to existing buildings associated with the business unless there are exceptional circumstances relating to agricultural necessity for a more isolated location, and a landscaping scheme which reduces the visual impact of the proposal on the wider landscape is submitted as part of the proposal.

**Main Issues**

The main issues surrounding this application are whether the building is reasonably necessary and whether it has a detrimental impact upon the landscape.

Albeit a large building, officers consider that functional need for the proposed extension has been demonstrated. Although the proposed extension has a comparable footprint to the existing building, it is proposed to be approximately 2 metres taller than the 'host' building on site.

However, by virtue of its relationship with the host building and proposed design which is consistent with modern agricultural buildings, the proposal is considered to accord with the requirements of Development Policy 12 and the adopted Design Guide. The existing buildings are low level so the proposal introduces variety into the built form which is generally encouraged. The existing building is well screened by trees to the immediate south and is set against a backdrop of mature trees. The proposal acknowledges that the existing landscaping bund will need to be modified in order to accommodate the proposed extension. Development Policy 12 requires satisfactory landscaping scheme is submitted and as such, it is recommended that this is reinforced by condition.

**Highway Matters**

The Highway Authority recommended refusal of the scheme on the basis that the required visibility splay of 2 metres by 90 metres was not achieved with the site access only measuring 2 metres by 11 metres. A meeting was held on site between the applicant, his agent and a representative of the Highway Authority to discuss acceptable changes to the site access.

Amended plans showing revised access arrangements have been submitted. The proposal now includes relocating the gate, setting it back further into the site and realigning the track leading from the road, across the field and to the building. As part of the scheme, it is proposed to remove approximately 14 metres of the boundary hedge to the west of the gate and realign the fence creating a wide angled access. It is proposed to replant a native hedgerow behind the new section of boundary fence which extends some 18 metres (resulting in an addition of approximately 4 metres of new native hedging). Following consideration of the amendments and a revision of the assessment of speeds of vehicles approaching the site, the Highway Authority has now provided a recommendation of conditional approval.

**Conclusion**

Officers have visited the site and considered the amended proposal. It is considered that the proposed extension would not have an unacceptable landscape impact and the changes proposed to satisfy Highway considerations result in an overall benefit to the highway safety and achieve a small enhancement to the natural environment by virtue of increased hedgerow.

**Application Number: NYM/2017/0469/FL**

---

Approval is recommended subject to a further Section 106 Agreement. In view of the site history, isolated nature of the buildings and lack of associated residential dwelling, it is considered necessary to seek agreement to the removal of the proposed extension in the event they cease to occupy and actively operate the running of an agricultural holding of at least 42.76 hectares, then within six months of the cessation the building shall be removed from the land and the site reinstated.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.